

1976 S.C. Op. Atty. Gen. 34 (S.C.A.G.), 1976 S.C. Op. Atty. Gen. No. 4243, 1976 WL 22863

Office of the Attorney General

State of South Carolina

Opinion No. 4243

February 5, 1976

*1 Mr. William F. Able
County Attorney
Richland County
700 Security Federal Building
Columbia, South Carolina 29201

Dear Mr. Able:

You have presented the question concerning the status of Honorable Bernard Manning as Master in Equity for Richland County, with particular reference to the validity of actions undertaken by him following the confirmation of his successor in office on January 29, 1976.

Mr. Manning was appointed Master for Richland County by Governor Edwards during a recess of the Senate on July 1, 1975. Thereafter, the Senate rejected the nomination by the Governor of Mr. Manning. The Governor then forwarded to the Senate the nomination of Mr. Jasper Cureton on January 28, 1976, and Mr. Cureton was confirmed by the Senate on January 29, 1976.

Giving full consideration to Sections 1-121, 122, 14-302 and 15-1810 of the Code of Laws, 1962, as amended, it is my opinion that Mr. Manning continues in office until the qualification of his successor in office, Mr. Cureton. Mr. Cureton's term of office, in my opinion, began to run from the date of his appointment by the Governor which, I am informed, has been made by the Governor following confirmation and which should have been received by Mr. Cureton by the date hereof.

Until Mr. Cureton qualifies for his accession to office by his assumption of this office, executes the oath of office and the furnishing of bond as required by statute, it is my opinion that Mr. Manning continues as the de jure, if not de facto, Master for Richland County, and his acts and doings in such interim period are valid and proper.

Very truly yours,

Daniel R. McLeod
Attorney General

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